

**DeRIENZO AND WILLIAMS, P.L.L.C.**  
State Bar #00510200  
3681 N. ROBERT ROAD  
PRESCOTT VALLEY, AZ 86314  
TEL.: (928) 759-5572  
FAX: (928) 759-5573  
Email: yavapailaw@hotmail.com  
Craig Williams  
Attorney at Law

SUPERIOR COURT  
2011 AUG -8 PM 5: 01  
SANDRA X HAIKHAM, CLERK  
BY: Kelly Gresham

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF YAVAPAI**

STATE OF ARIZONA,	)	<b>P1300CR201001325</b>
	)	
Plaintiff,	)	
	)	
vs.	)	<b>REQUEST FOR JURY INSTRUCTIONS</b>
	)	
STEVEN DEMOCKER,	)	
	)	
Defendant.	)	
	)	<b>(Hon. Warren Darrow)</b>
_____	)	

The Defendant hereby Requests the following Jury Instructions:

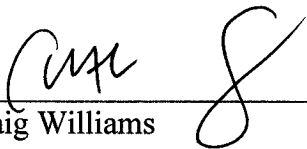
**R.A.J.I. Criminal Jury Instructions**

1, 2, 4, 5(a), 5(b)(1), 5(b)(2), 6, 10, 11, 15, 16, 17, 18, 21, 22, 24, 25, 27, 28, 29, 34, 35,  
36.

**Requested Criminal Jury Instructions**

- 1) Consciousness of Innocence (attached).
- 2) Third Party Culpability (attached).

RESPECTFULLY SUBMITTED this August 8, 2011.

  
\_\_\_\_\_  
Craig Williams  
Attorney for Defendant

Original delivered via the Clerk's Office to:  
Hon. Warren Darrow, Judge of the Superior Court  
Jeff Paupore, Yavapai County Attorney's Office  
Greg Parzych, via e-mail.  
The Defendant

By: \_\_\_\_\_

A handwritten signature, possibly "CD", is enclosed within a hand-drawn circle. This mark is positioned over the signature line of the "By:" field.

### **THIRD PARTY CULPABILITY:**

You have heard evidence that a person other than the defendant had the opportunity and motive to commit the offense with which the defendant is charged. The defendant is not required to prove the third party's guilt.

It is the prosecution that has the burden of proving the defendant guilty beyond a reasonable doubt. Therefore, the defendant is entitled to an acquittal if you have a reasonable doubt as to the defendant's guilt. Evidence that a third party may have committed the charged offense may by itself leave you with such a reasonable doubt.

If after considering all of the evidence, including any evidence that another person committed the offense, you have a reasonable doubt that the defendant committed the offense, you must find the defendant not guilty.

### **Consciousness of Innocence**

The absence of flight of a person although the person had the opportunity to flee, is a matter to consider in light of all the circumstances, in deciding whether or not the defendant's guilt has been proven beyond a reasonable doubt. The weight to which such circumstances is a matter for the jury to determine.